

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA

Howard J. Miller, et al,)	
)	
Plaintiffs,)	BENCH TRIAL MINUTES
)	Hon. Clare R. Hochhalter
v.)	
)	Case No. 1:20-cv-132
Juarez Cartel aka Vicente Carrillo)	
Fuentes Organization aka CFO aka)	
La Linea)	
)	
Defendants.)	

David Langford, et al,)
)
Consolidated Plaintiffs,)
)
v.)
)
La Linea and John Does I through LX,)
)
Consolidated Defendants.)

Court Officials Present:
Carla Schultz, Courtroom Deputy
Ronda Colby, Court Reporter
Brian Gumeringer, Law Clerk
Logan Carpenter, Law Clerk

Appearances for Plaintiff(s):
Michael Edward Elsner
Samuel Mitchell
John Eubanks
Courtney Wolf
Jon Knowles, Trial Tech

Appearances for Consolidated Plaintiff(s):
Timothy Q. Purdon
Mark Kokanovich
Michelle Hogan
Jacey Skinner
Tasha Hart, Paralegal

Monday, February 7, 2022 – First Day of Trial
Convened at 9:00 am.
Counsel note appearances.

Plaintiffs' opening statements

Recess 10:00 am to 10:15 am. (15 min.)

Plaintiffs' Case Commences.

Kenneth Miller, Sr., sworn & testifies on behalf of the Plaintiffs.

Direct examination by Michael Elsner.

Plaintiffs' Exhibits 24, 7, 8, 74, 75 offered, received.

Court inquires.

Dayer LeBaron, sworn & testifies on behalf of the Plaintiffs.

Direct examination by John Eubanks.

Plaintiffs' Exhibit 29 offered, received.

Lunch Recess 12:00 pm to 1:30 pm. (1 hr. 30 min.)

Melissa Rexach, sworn as interpreter on behalf of the Plaintiffs (via video).

Enrique Baeza, sworn & testifies on behalf of the Plaintiffs (via video).

Direct examination by Michael Elsner.

Plaintiffs' Exhibits 3, 4, 5, 70 offered, received.

Recess 3:00 pm. to 3:20 pm. (20 min.)

Dayer LeBaron, testimony continued.

Direct examination continued..

Plaintiffs' Exhibits 43 offered, received.

Plaintiffs' Exhibits 1 and 2 offered, court takes judicial notice, received.

Court in recess at 3:45 pm.

Tuesday, February 8, 2022 – Second Day of Trial

Reconvened at 9:00 am.

Plaintiffs' Case Continues.

Sebastian Schubl, sworn & testifies on behalf of the Plaintiffs (via video).

Direct examination by Michael Elsner.

Plaintiffs' Exhibits 25, 12, 13, 14 offered, received.

Miller, et al v. Juarez Cartel, Case No. 1:20-cv-132

Howard Miller, sworn & testifies on behalf of the Plaintiffs.

Direct examination by Michael Elsner.

Plaintiffs' Exhibits 30, 6, 83, 84, 85, 87, 88 offered, received.

Recess 10:40 am to 11:05 am. (25 min.)

Adrian LeBaron-Soto, sworn & testifies on behalf of the Plaintiffs.

Direct examination by Michael Elsner.

Plaintiffs' Exhibits 36, 20, 19, 18, 76 offered, received.

Lunch Recess 12:20 pm to 1:50 pm. (1 hr. 30 min.)

Amelia Sedgwick, sworn & testifies on behalf of the Plaintiffs.

Direct examination by Samuel Mitchell.

Plaintiffs' Exhibits 32, 15, 92 offered, received.

Karen Woolley, sworn & testifies on behalf of the Plaintiffs.

Direct examination by Samuel Mitchell.

Plaintiffs' Exhibits 48, 16, 23, 53 offered, received.

Recess 3:05 pm to 3:20 pm. (15 min.)

Karen Woolley, testimony continued.

Direct examination continued.

Plaintiffs' Exhibits 33, 34, 35, 49, 50, 51, 52 and 54 offered, received.

Court in recess at 3:50 pm.

Wednesday, February 9, 2022 – Third Day of Trial

Reconvened at 9:00 am.

Plaintiffs' Case Continues.

K.L., sworn & testifies on behalf of the Plaintiffs.

Direct examination by Michelle Hogan.

Court inquires.

D.L., sworn & testifies on behalf of the Plaintiffs.

Direct examination by Jacey Skinner.

Court inquires.

Recess 9:50 am to 10:15 am. (25 min.)

David Langford, sworn & testifies on behalf of the Plaintiffs.

Direct examination by Mark Kokanovich.

Court inquires.

Tyler Johnson, sworn & testifies on behalf of the Plaintiffs.

Direct examination by Michael Elsner.

Plaintiffs' Exhibit 31, 90, 22, 11, and 81 offered, received.

Court inquires.

Lunch Recess 12:15 pm to 1:45 pm. (1 hr. 30 min.)

Douglas Johnson, sworn & testifies on behalf of the Plaintiffs.

Direct examination by Michael Elsner.

Plaintiffs' Exhibit 73 offered, received.

Recess 3:10 pm to 3:30 pm. (20 min.)

Donna Schuurman, sworn & testifies on behalf of the Plaintiffs.

Direct examination by John Eubanks.

Plaintiffs' Exhibit 26 offered, received.

Court in recess at 4:05 pm.

Thursday, February 10, 2022 – Fourth Day of Trial

Reconvened at 9:00 am.

Donna Schuurman, testimony continued.

Direct examination continued.

Court inquires.

Recess 10:20 am to 10:40 am. (20 min.)

Donna Schuurman, testimony continued.

Direct examination continued.

Court inquires.

Plaintiffs' (John Eubanks) Exhibits 27, 37-42, 44, 45, 47, 55 and 56 offered, received.

Plaintiffs' (Mark Kokanovich) Exhibits 28, 57-66, and 72 offered, received.

Miller, et al v. Juarez Cartel, Case No. 1:20-cv-132

Adriana Jones, sworn & testifies on behalf of the Plaintiffs.

Direct examination by Samuel Mitchell.

Plaintiffs' Exhibits 46, 69 offered, received.

Plaintiffs Rest.

Lunch Recess 12:00 pm to 1:30 pm. (1 hr. 30 min.)

Plaintiffs' Closing Arguments (Michael Elsner/Tim Purdon).

Court orders parties to submit post-trial briefs along with proposed Findings of Facts and Conclusions of Law within 30 days.

Court in recess at 2:30 pm.